

INDIANA SUPREME COURT
DIVISION OF STATE COURT
ADMINISTRATION



MARION COUNTY SMALL CLAIMS COURTS
Annual Revenue Report
Application Guide
Revised December 2014

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COLUMN HEADING DESCRIPTIONS

Column Headers

The spreadsheet has three columns for data entry: State Level, County Level, and City/Town/Township Level Funds (General & Specific).

State Level Funds (General & Specific)

This portion of the court fee or cost is to be distributed to the State Auditor for deposit in a designated fund. Most revenues are deposited in the State general fund but some specific funds have been created to support related services. Regardless of whether the fund is general or specific, indicate the portion of each fee to be distributed to the State.

County Level Funds (General & Specific)

This portion of the court fee or cost is to be distributed to the County Auditor for deposit in a designated fund. Most revenues are deposited in the County general fund but some specific funds have been created to support related services. Regardless of whether the fund is general or specific, indicate the portion of each fee to be distributed to the County.

Township Level Funds (General & Specific)

This portion of the court fee or cost is to be distributed to the local level (city or town or township) for deposit in a designated fund. Most revenues are deposited in the local level general fund but some specific funds have been created to support related services. Regardless of whether the fund is general or specific, indicate the portion of each fee to be distributed to the Local Level.

Money to Others*(Constable)

When the claimant wants the court filings to be served on the defendant or defendants personally, the Court charges an extra \$13 for certified mail or personal service by the Constable or bailiff. All revenues collected for certified mail (line 2), personal service (line 3) and additional defendants (line 4) are reported in this column. When reporting revenues in this column, provide the recipient in the text box provided.

LINE ITEM DESCRIPTIONS

The line items for the report relate to the itemized fees charged by courts for various reasons. Most fees collected by the Courts are itemized but if a fee is not separately indicated, the court should report the revenue collected on line 12, "Other," based upon the statutory distribution requirements and indicate the sources in the text box provided. Line 12 will be discussed below.

Line 1: Filing Fee and Township Docket Fee

The filing fee and township docket fee are the basic expense for filing a small claims case. The \$37 fee charged in Marion County Small Claims cases represents a \$5 township docket fee plus 45% of the amount charged in an infraction case or violation of ordinance case, rounding up to the next highest whole number. The revenue collected for this fee is reported in the Township level column for deposit in the Township general fund and distributed to the township trustee monthly. I.C.; 33-34-8-1(a)(1); 33-34-8-1(b); 33-34-8-3(a).

Line 2: Service of Process Fee (Certified Mail)

The court bailiff will charge \$13 in addition to the filing fee above for service of the court filing by certified mail. The initial service of process fee is charged when the case is initiated but additional service shall be assessed after service is made. The revenues are reported in the Money to Others column and distributed to the bailiff or constable who executed service. I.C. 33-34-8-1(a)(2).

Line 3: Service of Process Fee (Personal Service)

The bailiff or constable shall assess a \$13 fee for personal service on the defendant. The initial service fee is charged when the case is initiated. All subsequent service fees will be assessed after service is made. To the extent the constable is the person who executes the personal service, the \$13 fee is reported in the Money to Others column and provided to the bailiff or constable who executed service. I.C. 33-34-8-1(a)(3).

Line 4: Pro Bono Legal Services Fee

Effective July 1, 2012 but before July 1, 2017 this \$1 fee is assessed in each Marion County small claims action. Semiannually the clerk distributes this fee to the state auditor for transfer to the Indiana Bar Foundation to be used

by the foundation to assist or establish approved pro bono legal services programs. I.C. 33-34-8-1(a)(13); 33-34-8-3(b)(1)(F); 33-37-5-31.

Line 5: Redocketing Fee

If a claimant seeks to have a case that was previously closed or dismissed reopened for resolution, the court will charge a \$5 fee to redocket the case. This fee is reported in the Township Level Funds column and deposited in the township general fund. I.C. 33-34-8-1(a)(5).

Line 6: Document Storage Fee

The clerk shall collect a Document Storage Fee of \$2 in every action. Semiannually, the clerk distributes this fee to the county auditor for deposit to the Clerk's Record Perpetuation Fund which may be used by clerks for the preservation of records or for the improvement of record keeping systems and equipment. I.C. 33-37-5-20; 33-34-8-1(a)(6); 33-34-8-3(b)(2).

Line 7: Judicial Salaries Fee

This fee is imposed in all cases to support the judicial salaries for the court. Since judicial salaries increased in 2011, this fee increased from \$13 to \$14 on July 1, 2011. Judicial salaries are also increasing in fiscal year 2012-2013 so on July 1, 2012 this fee will increase from \$14 to \$15 for small claims cases. The Small Claims courts report 25% of the fee in the Township level column for deposit to the Township general fund. The remaining 75% is reported in the State level column for deposit in the state general fund. I.C. 33-37-5-26(b); 33-37-5-26(e)(5); 33-34-8-1(a)(11); 33-34-8-3(b)(1)(E).

Line 8: Public Defense Administration Fee

This \$3 is imposed for all case types. It is reported in the State level column. Previously, this fee was titled the Judicial Administration Fee. The court distributes this fee to the state auditor semiannually for deposit to the state general fund. This fee is used to defray the cost of Public Defenders. I.C. 33-37-5-21.2; 33-34-8-1(a)(9); 33-34-8-3(b)(1)(B).

Line 9: Judicial Insurance Adjustment Fee

This \$1 fee is collected in all civil cases. The court distributes this fee to the state auditor semiannually for deposit to the state judicial branch insurance adjustment account. I.C. 33-37-5-25; 33-38-5-8.2; 33-34-8-1(a)(10); 33-34-8-3(b)(1)(D).

Line 10: Automated Recordkeeping Fee

This fee applies in all cases. The fee was \$7 until June 30, 2011, when it decreased to \$5. This fee is reported in the State level column and distributed to the state auditor semi-annually. Although I.C. 33-34-8-3(b)(1)(A) states the auditor will deposit this fee in the homeowner protection unit account and the state user fee fund, by statute [see I.C. 33-37-7-2(a) and I.C. 33-37-7-8(a)] only the automated recordkeeping fees collected in actions resulting in an accused person entering a pretrial diversion program agreement under I.C. 33-39-1-8 or a deferral program agreement under I.C. 34-28-5-1 will be deposited in the homeowner protection unit account. All other automated recordkeeping fees are deposited in the state user fee fund. Since Marion County Small Claims courts do not handle actions that may result in a pretrial diversion program or a deferral program, all automated recordkeeping fees collected will be deposited in the state user fee fund. I.C. 33-37-5-21; 33-34-8-1(a)(7); 33-34-8-3(b)(1)(A); I.C. 33-37-9.

Line 11: Court Administration Fee

This \$5 fee is imposed in all cases. 60% of the fee (\$3) is reported in the State level column and 40% of the fee (\$2) is deposited in the Township level column to fund the operations of the small claims court. I.C. 33-37-5-27; 33-34-8-1(a)(12); 33-34-8-3(b)(1)(C); 33-34-8-3(c).

Line 12: Other Fees

When revenues have been collected but are not categorized in one of the above line items, report the revenues on this line in the appropriate column for distribution. In the text box provided, list the total amount collected for each revenue source and separate each source by commas. Examples include:

Late payment fees
Witness fees collected
Document fees
Grants

Do not include any trust monies as they are not court revenue.

Grand Totals

The ICOR system will automatically tally each column. Check the totals against your totals on your worksheet to verify your information has been entered correctly.

Please contact the Court Technology helpdesk (1-888-275-5822) if you have difficulties submitting your report or discover an error after submission to State Court Administration.